

## **MINUTES**

### **MACO DISTRICT 10 & 11 MEETING WEDNESDAY, May 14 2008 PUBLIC HEALTH BUILDING CONFERENCE ROOM POLSON MT 10:00 A.M.**

Chairman, Gary Hall opened the meeting with the pledge of allegiance followed by the roll call. Those in attendance were: Alan Thompson, Chuck Whitson, Pat Ingraham, Carol Brooker, Hank Laws, John Konzen, B.J. McComb, Clark Conrow, Duane Simon, Paddy Trusler, Harold Blattie, Sheryl Wood, Larry Anderson, Susan Bomstad, Rita Windom, Mike McGinley, Cynthia Johnson, Gail Patten, Greg Chilcott, Gary Hall, Doug Kaercher, Vern Petersen.

The minutes for the August 24, 2006 and June 11, 2007 were adopted.

#### ***MACO 2<sup>ND</sup> VP NOMINATIONS –***

The only nomination at this time is John Ostlund. A motion was made, seconded and passed to affirm the nomination of John Ostlund. District 11 Chair Judy Stang's term will expire at the end of this year. There were no nominations.

Election will be held at the August meeting.

#### ***LEGISLATIVE UPDATE – HAROLD AND SHERYL OF MACO***

HB1 – Fire working group addressing land use regulation especially wildland urban interface. MACO's stand is that local governments should have the option to regulate wild land urban interface issues.

HB 49 – Conduct review of special district statutes. Counties and Cities are represented. The purpose is to clarify and make more uniform laws regulating all special districts and expand counties flexibility and latitude. Currently the laws addressing Special Districts and Rural Improvement Districts are located in separate areas of the codes. They are a funding mechanism only and should be more uniform and addressed together. Harold said the admin rules would be created by 2009. He will send out notice when the two committees will be meeting again.

Paddy asked if the county could levy an admin fee on homeowners in a special improvement district? Harold said he would check and let Paddy know.

Sheryl mentioned the hospital bed tax has a 2 year extension but there needs to be a full repeal as there are conflicts in statutes. State Admin is studying elections. District 7 will support the Clerk and Records position. There is no funding for the proposed increase in PERS county match. Law and Justice Committee are working on "Goal 189" regarding involuntary commitments. They are working with Sheriff and County Attorney regarding county liability for detainees.

Paddy asked about the survey that was completed. The results were not useable for the purpose intended.

Harold mentioned that the laws web site is up for 2009 session. As of yesterday there were 116 bill requests.

#### ***RESOLUTIONS***

Harold outlined the resolutions that have been proposed by the various districts to date. Cascade Co. re-introduced a resolution from last year regarding clarification that the Board of County Commissioners makes the appointment of members to an airport authority board. He explained that there are only about 7 in the state. It is anticipated there will be a proposal to repeal the bill that passed last session regarding GIS enhancement. Clerk and Records collect an additional \$1.00 at the time of recording documents, the counties keep .25 cents

and send .75 cents to the state to pay out grants to counties for GIS improvements. However, so far all grants have been issued to state agencies.

A bill passed last session requiring expanded language on ballots. There will be an effort to repeal because of the additional cost to counties.

Board of Crime Control – Youth facility being built in Richland County.

Clean Water restoration act. Removing term navigable has raised opposition.

District 6 & 7 has presented a resolution to pick up HB 110 from last session. Restores statutory appropriation of 2 ½% of metal mines goes to Hard Rock. Some comes back to counties for the county trust and is only accessible if the mine closes etc. Only 1/3 goes to schools. Counties need to look at their preferences.

Land use committee has 6 resolutions but rather than look at them at this meeting it would be best for the committee to review and work on them.

Gary said there would be a special meeting of urban counties on June 5<sup>th</sup>.

Larry Anderson introduced 2 resolutions.

1. Resolution in support of establishing passenger rail service along a southern route across Montana, from Billings to Spokane. (see attached).
2. HB 499 from last session to establish a technology base. (See attached).
3. Proposal to introduce a legislative initiative to increase the licensed establishment fee and to remove the fee setting from statute and put it into rule to allow future incremental adjustments by local jurisdictions. (See attached).

These will be presented again in August for a vote.

A motion was made by Paddy, seconded by Larry to accept these resolutions and have them move forward.  
Vote- Unanimous.

Rita mentioned the upcoming 80° temperatures and the threat of flooding. If they need sand bags they need to declare an emergency and submit their request and it takes a little time to get them. Harold said the law allows for the commission chair or, if not available, one of the other commissioners to declare an emergency.

Following a short, catered lunch break, discussion turned to the preliminary budget.

Harold pointed out a few things on the proposed budget including that they are planning to increase dues incrementally rather than in less frequent, larger amounts. Also, pointed out that MACO dues include the NACO dues that MACO sends on in one check. (See attached).

Sheryl explained that they are planning to add a technology line to add a server. Presently the system is antiquated in that they have no backup system and no virus protection. They have prepared a 3 year an IT plan, and will be presenting a proposal for a server system to the Boards of MACo and the three Insurance pools. The initial proposal would include 2 server systems with mirror capabilities and will include all software, licenses required, tech support and reserve toward replacement costs in 3-4 years. They propose to include a technology reserve in each subsequent year's budget. The JPIA Board underwriter agreed to fund \$22,000 of the IT proposal towards the JPIA costs of the systems and reserves.

Gary made a motion that was seconded and passed to bring the proposal to the board of directors.

Sheryl also explained that they are considering hiring 1-2 legislative interns to assist with legislative issues. She has talked with the colleges and there are three compensation options. One would be to flat out pay by the hour, or it could be strictly on a volunteer basis for the experience. The other option would be to make it a scholarship program. They will present all three options to the board and see what they decide. Paddy suggested there be some flexibility to the \$10,000.00 proposed to fund the intern program.

Harold explained that he was budgeting \$6,000.00 for salary adjustments for merit increases that he felt were well deserved.

#### ***MT STATE TAX APPEAL BOARD – DOUG KAERCHER***

Doug announced that the reappraisal scheduled for Jan. 1, 2008 on class 4 property had been moved to June 30, 2008 in light of the current housing trend. They will look at the trends and make a recommendation to the legislation. Reappraisal on forest lands expect to be done the end of May. They are concerned that the ag reappraisals may not be as accurate as could be. They plan to send out packets of maps in August to producers. They need to respond regarding ownership, production and classification to be sure it is correct. They request that the counties put out an ad when the packets go out. Also put it into the MACO newsletter, county extension newsletters and FSA newsletter. New information will be available on the cadastral web site.

Greg made a motion that Districts 10 and 11 support DOR ag proposal. Paddy seconded and the motion passed unanimously.

#### ***MACO STAFF REPORT***

The lower level of the 2<sup>nd</sup> building is completed. Plan to locate the legal services division in this part of the building. It should be fully functional by Dec. 30, 2008.

Workers Comp rates had an overall 5% reduction. 2 classifications went up and others were reduced. We are on track, ahead of our 5-year plan to increase the reserve.

The executive board has been asked to support getting congress under the Internal Revenue Code to issue letters of credit for Tax-exempt Bonds. (See attachment).

Passport fees – MACO legal council's opinion is that the law that allows the Clerk of Court to use the fee for issuing passports for personal use is in conflict with the ethics code. Roosevelt County will be submitting a letter requesting an Attorney General opinion. We may wish to look at legislation to address other similar potential conflicts such as brand inspection fees and JP marriages etc.

CI-99 (See attached) amends the Montana Constitution to limit increases in homeowner's residential property tax to no more the 1.5% a year. Harold's opinion is it cannot be administered as proposed. MACO is just watching and monitoring right now.

I-156 (See attached) prohibits political contributions by persons and organizations with certain state or local government contracts until two years after the end of the contract. This one is full of problems also. Reporting thresholds, numbers don't fit with county statutes. Could cause problems for counties and contractors. This is really bad. We should be concerned. They are attempting to take unions out of the political process.

Secure Rural Schools – no funding. Paul Wilkins, from Senator Baucus' office does not feel there will be a multi year reauthorization. Best we can expect is 1-year extension.

Bridge access – legislative decision would be best. Gravel pits – gravel permit fees for counties are currently exempt. Regarding the legal advertising contract bidding process, Sheryl said that contracts in existence will apply after July 1, 2008.

***PLUM CREEK/USFS EASEMENT DISCUSSION – LARRY ANDERSON***

(See attachment)

Larry discussed the attached copy of the letter sent from Missoula Board of County Commissioners to Mark Rey, Under Secretary for USDA regarding Proposed Forest Service roads Easement Amendment. Larry stated that Missoula County may proceed with the lawsuit. Paddy noted that DNRC seems to be missing from the table on this issue. It was explained that they have some concerns and have backed away. It was suggested that maybe they would come back if the litigation goes forth. He encouraged other counties to submit similar letters. Harold said he had talked to Ryan Yates of NACO and believes that Mark Rey intends to sign the contract with Plum Creek.

***SUE BOMSTAD-MT.ASSOC. OF PUBLIC SAFETY COMMUNICATION OFFICIALS***

(See attached proposal & survey)

Sue is a 911 operator and supervisor. They are interested in addressing the issue of retention of 911 operators and encouraging current employees to stay. Currently they are under the PERS system and need 30 years for full retirement. The work is high stress and there is a high rate of burn out and it is unrealistic to expect someone to continue for 30 years. What they are proposing is for the operators to be part of the Sheriff's Retirement System so they would only need 20 years for full retirement. She stated that the PERD is not opposed to the proposal. Harold asked Sue to put together salary information to help establish a fiscal note.

***GARY LARSON, DEPT OF TRANSPORTATION – STIP***

He explained that each county has, in the past, received their paper document. It is costly to produce and mail and therefore in the future they will send out a card asking whether the county wants the hard copy. Otherwise it can be viewed on line. He explained what is contained in the document. When you look at the document and don't find your project there then it cannot be funded.

***WAYNE NOEM, MDOT – SECONDARY ROADS REPORT.***

Wayne handed out the secondary road priority list to each county and reviewed it. He said he would send out a draft and ask for comments. Will act on it at the fall convention.

***DNRC – NO REPORT***

***NWRC&D – GARY HALL***

(See attachment)

***ADJOURNED***